

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF DOCUMENT DISCREPANCIES

To: ☒ U.S. District Judge / ☐ U.S. Magistrate Judge Klausner
 From: Michelle Murray, Deputy Clerk Date Received: 07-30-10
 Case No.: CV 10-1791 RGK Case Title: St Luke School of Medicine
vs - Republic of Liberia et al

Document Entitled: Declaration in support of ~~the motion~~ opposition

Upon the submission of the attached document(s), it was noted that the following discrepancies exist:

- ☐ Local Rule 11-3.1 Document not legible
- ☐ Local Rule 11-3.8 Lacking name, address, phone and facsimile numbers
- ☐ Local Rule 11-4.1 No copy provided for judge
- ☐ Local Rule 19-1 Complaint/Petition includes more than ten (10) Does or fictitiously named
- ☐ Local Rule 15-1 Proposed amended pleading not under separate cover
- ☐ Local Rule 11-6 Memorandum/brief exceeds 25 pages
- ☐ Local Rule 11-8 Memorandum/brief exceeding 10 pages shall contain table of contents
- ☐ Local Rule 7.1-1 No Certification of Interested Parties and/or no copies
- ☐ Local Rule 6.1 Written notice of motion lacking or timeliness of notice incorrect
- ☐ Local Rule 56-1 Statement of uncontroverted facts and/or proposed judgment lacking
- ☐ Local Rule 56-2 Statement of genuine issues of material fact lacking
- ☐ Local Rule 7-19.1 Notice to other parties of ex parte application lacking
- ☐ Local Rule 16-6 Pretrial conference order not signed by all counsel
- ☐ FRCvP Rule 5(d) No proof of service attached to document(s)

☒ Other: plaintiff represented by counsel; case closed
as of 7/29/10

Note: Please refer to the court's Internet website at www.cacd.uscourts.gov for local rules and applicable forms.

ORDER OF THE JUDGE/MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

- ☐ The document is to be filed and processed. The filing date is ORDERED to be the date the document was stamped "received but not filed" with the Clerk. Counsel* is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83-7.

Date

U.S. District Judge / U.S. Magistrate Judge

- ☒ The document is NOT to be filed, but instead REJECTED, and is ORDERED returned to *counsel. *Counsel shall immediately notify, in writing, all parties previously served with the attached documents that said documents have not been filed with the Court.

AUG - 2 2010

Date

U.S. District Judge / U.S. Magistrate Judge

*The term "counsel" as used herein also includes any pro se party. See Local Rule 1-3.

1 Jerroll B. R. Dolphin
2 P.O. Box 941009
3 Los Angeles, CA 90064
4 310-384-4483

5 Plaintiff in Pro Per
6 RECEIVED
7 BUT
8 NOT FILED

9 JUL 30 2010

10 2:01 PM

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

13 CLERK, U.S. DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15 DEPUTY
16 BY [Signature]

17 St. Luke School of Medicine, et al.,

18 Plaintiff,

19 vs.

20 The Republic of Liberia, et al.,

21 Defendant(s).

Case No.: 10-CV-01791 RGK

PLAINTIFF'S'S DECLARATION
IN SUPPORT OF OPPOSITION TO
MOTION TO WITHDRAW AS
ATTORNEY

Judge: R. GARY KLAUSNER
Hearing Date: AUGUST 2, 2010
Hearing Time: 9:00 AM
Place: RM 850, JUDGE R. GARY
KLAUSNER

22 RESPONSE TO THE MOTION TO WITHDRAW AS ATTORNEY AND
23 REQUEST FOR SANCTIONS

24 To the Honorable R. Gary Klausner, Plaintiffs, Dr. Jerroll B. R. Dolphin, on
25 behalf of himself, St. Luke School of Medicine (SLSOM) and SLSOM students

26 RECEIVED & RETURNED
27 CLERK, U.S. DISTRICT COURT

28 AUG - 2 2010

CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

1 and graduates, opposes Attorney Thaddeus J. Culpepper's Request to Withdraw as
2 Attorney of Record.

3 I, Dr. Jerroll B. R. Dolphin, declare as follows:

- 4 1. I have personal knowledge of each matter stated herein.
- 5 2. I am the Plaintiff in the above-entitled case.

- 6
7 1. Irreconcilable differences have not developed between Attorney
8 Thaddeus J. Culpepper and Plaintiffs. However, differences have developed
9 between all Plaintiffs and Attorney Culpepper because Culpepper has failed
10 and refuses to carry out his fiduciary responsibilities to the Plaintiffs. By not
11 complying with this court's orders or filing necessary motion responses to
12 protect those Plaintiffs' interests to the extent that Plaintiff Dr. Dolphin
13 found it necessary to file oppositions to the Defendants Motions to Dismiss.
- 14 2. Plaintiff, Dr. Jerroll B. R. Dolphin, has repeatedly attempted to get
15 Attorney Culpepper to file a Request for Substitution of Attorney because
16 Attorney Culpepper has failed and refused to file proper responses or
17 pleadings to several Motions to Dismiss. It is imperative that Attorney
18 Culpepper file said responses to protect Plaintiffs' interests.
- 19 3. Attorney Culpepper cited the case Mission Power Engineering Co. v.
20 Continental Casualty Co., 883 F. Supp. 488 (C.D. Cal. 1995) to support his
21 application to withdraw. The citing of this case is, further, an example of the
22 disingenuous research of Attorney Culpepper. This case has nothing to do
23 with Attorney Culpepper's request for withdrawal.
- 24 4. Additionally, I request that this honorable court order, that I be
25 allowed to be pro per in this matter. Further, that Attorney Culpepper be
26 ordered to return all money paid to him for attorney fees; that Attorney
27
28

1 Culpepper return all documents provided to him by this Plaintiff to prepare
2 and pursue this complaint.

- 3 5. Further, that if said Motion to Withdraw is granted, that Attorney
4 Culpepper be ordered to file proper responses to each Motion to Dismiss and
5 comply with all court orders and obligations prior to being released as the
6 Attorney-of-Record.

7
8 I declare under penalty of perjury that the foregoing is true and correct.

9
10 DATED: July 30, 2010

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12
13 

14 Jerroll B. R. Dolphin

15 Plaintiff in Pro Per
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Name & Address:

Jerrold B. R. Dolphin
P.O. Box 941009
Los Angeles, CA 90064
310-384-4483

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

St. Luke School of Medicine, et al,

PLAINTIFF(S)

v.

The Republic of Liberia, et al,

DEFENDANT(S).

CASE NUMBER

CV 10-01791-RGK (SHx)

**PROOF OF SERVICE
SUMMONS AND COMPLAINT**
(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- | | | |
|---|---|--|
| <input type="checkbox"/> summons | <input type="checkbox"/> first amended complaint | <input type="checkbox"/> third party complaint |
| <input type="checkbox"/> complaint | <input type="checkbox"/> second amended complaint | <input type="checkbox"/> counter claim |
| <input type="checkbox"/> alias summons | <input type="checkbox"/> third amended complaint | <input type="checkbox"/> cross claim |
| <input checked="" type="checkbox"/> other: (specify): Declaration in Opposition of Withdrawal of Attorney | | |

2. Person served:

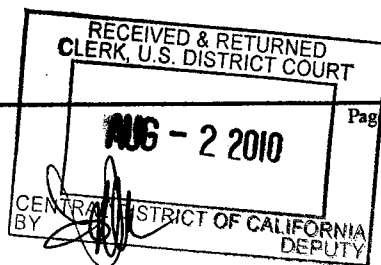
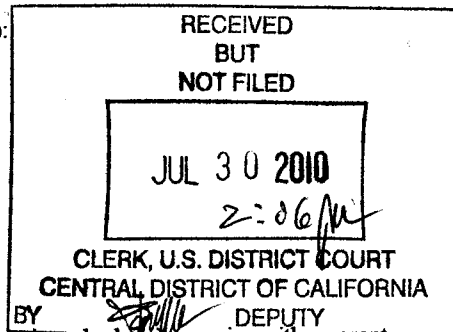
- a. ☐ Defendant (name):
- b. ☒ Other (specify name and title or relationship to the party/business named):
Attorney Thaddeus J. Culpepper
- c. ☒ Address where papers were served:
556 S. Fair Oaks Avenue, Suite 101 No. 302, Pasadena, CA 91105

3. Manner of Service in compliance with (one box must be checked):

- a. ☒ Federal Rules of Civil Procedure
- b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2: Thaddeus J. Culpepper

- a. ☐ By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
1. ☐ Papers were served on (date): _____ at (time): _____
- b. ☐ By **Substituted service**. By leaving copies:
1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
2. ☐ (business) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
3. ☐ papers were served on (date): _____ at (time): _____
4. ☒ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
5. ☒ papers were mailed on (date): July 30, 2010
6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant. (Attach separate declaration regarding due diligence).
- c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of Summons and Complaint).



- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity (F.R.Civ.P. 4(h)) (C.C.P. 416.10).** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity (C.C.P. 415.20 only).** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service).**
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by F.R.Civ.P. 4(f).
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- h. ☐ **Other (specify code section and type of service):**
5. **Service upon the United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): _____ at (time): _____.
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**
6. At the time of service I was at least 18 years of age and not a party to this action.
7. Person serving (name, address and telephone number):
- a. ☐ Fee for service: \$
- b. ☐ Not a registered California process server
- c. ☐ Exempt from registration B&P 22350(b)
- d. ☐ Registered California process server
8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

July 30, 2010

Date

Signature

